

457011 v 3  
Al/Al/EN  
1100 2239690 4  
457011  
**RECEIVE**  
APR 14 2014  
Air/Toxics & Inspection  
Coordination Branch  
6EN-A

April 11, 2014

**Certified Mail**  
**Return Receipt Requested**

7012 3050 0001 6079 6997

Chief  
Environmental Enforcement Section  
Environmental and Natural Resources Division  
U.S. Department of Justice  
Box 7611 Ben Franklin Station  
Washington, D.C. 20044-7611  
Re: DOJ No. 90-5-2-1-09242

Re: United States of America v. James Ballengee, Lisbon Processing, L.L.C., and  
Lisbon Refinery, J.V., L.L.C.; State of Louisiana, through the Department of Environmental  
Quality v. Lisbon Processing, L.L.C., and Lisbon Refinery J.V., L.L.C., United States District  
Court, Western District of Louisiana, Docket No. 5:11-cv-01781.  
Status of Section V.B, V.C, V.D, V.E and V.F, Compliance Requirements  
LDEQ Agency Interest No. 2107

Dear Sir or Madam:

At this time, Lisbon has completed the Consent Decree Compliance Requirements of Sections V.B, V.C, V.D, V.E, and V.F, except as follows:

Paragraph 19 – Removal and disposal of roll-off boxes and wastes has been completed

Paragraph 20 – Records of proper transport and disposal of hazardous wastes have been provided to LDEQ.

Paragraph 21 – A plan to identify and remediate soils impacted by the unpermitted storage of hazardous waste has been submitted. Verbal discussions with LDEQ have tentatively scheduled implementation in late Spring 2014 to more readily allow for site access, but formal approval has not yet been provided.

Paragraph 22 – A plan to locate, install, and sample ten (10) monitoring wells has been submitted. Verbal discussions with LDEQ were conducted and it was agreed that two well locations would be shifted. Verbal discussions with LDEQ have tentatively scheduled implementation in late Spring 2014 to more readily allow for site access, but formal approval has not yet been provided.

Paragraph 23 – The tanks are not in service so no 40 CFR 112 compliance actions have been triggered.

Paragraphs 24, 25, 26, 27, and 28 – The plans required by Paragraphs 21 and 22 have been submitted but LDEQ formal approval has not been provided. Lisbon is prepared to proceed with implementation upon LDEQ approval.

If you or your staff have any questions or require additional information, please call me at (318) 429-0271.

Very truly yours,  
Lisbon Processing, L.L.C. Lisbon Refinery, J.V., L.L.C.

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or*

*those persons directly responsible for gathering the information, the information submitted, to the best of my knowledge and belief, is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

  
Karen Hardtner

Enclosures.

**SENT ALSO TO:**

**EPA:**

✓ Director  
Air, Toxics & Inspection Coordination Branch  
U.S. Environmental Protection Agency – Region 6  
1445 Ross Avenue – Suite 1200  
Dallas, TX 75202-2733

Associate Director  
Hazardous Waste Enforcement Branch  
U.S. Environmental Protection Agency – Region 6  
1445 Ross Avenue – Suite 1200  
Dallas, TX 75202-2733

**State of Louisiana:**

Enforcement Division  
Celena Cage, Administrator  
Office of Environmental Compliance  
Louisiana Department of Environmental Quality  
P.O. Box 4312  
Baton Rouge, LA 70821-4312

Steven Archibald (*Required only for submissions under Paragraphs 21 and 22*)  
Louisiana Department of Environmental Quality  
Underground Storage Tank and Remediation Division  
1823 Highway 546  
West Monroe, LA 71292-0442

**Defendants:**

James Ballengee, Lisbon Processing, LLC and Lisbon Refinery J.V., LLC  
Attn: Julio E. Rios, II  
15510 Wright Brothers Drive

Addison, TX 75001

Thomas E. Balhoff  
Roedel, Parsons, Koch, Blache, Balhoff and McCollister  
8440 Jefferson Highway, Suite 301  
Baton Rouge, LA 70809